

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

**This document relates to:
Track Eight: *Cobb County, Georgia*
Case No. 1:18-op-45817-DAP**

COBB COUNTY,

Plaintiff,

v.

PURDUE PHARMA, L.P., et al.,

Defendants.

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**Agreed Motion Modifying Track 8 Deadlines as to
CVS, Kroger, Walgreens, and Walmart**

Plaintiff Cobb County, Georgia (“Plaintiff”) and defendants CVS, Kroger, Walgreens, and Walmart¹ (the “Identified Defendants”) jointly request that the Court make the below modifications to the Track 8 Case Management Order as to the Identified Defendants. These modifications will allow Plaintiff and the Identified Defendants (collectively, the “parties”) to pause discovery in the near-term so they can focus on settlement efforts. The parties contemplate that any deposition that has already been scheduled will be deferred until February 2023, to be reset with the agreement of those parties remaining in the case after settlement discussions. The

¹ These Defendants are: CVS Indiana L.L.C., CVS Rx Services, Inc., CVS TN Distribution, LLC, CVS Pharmacy, Inc., and Georgia CVS Pharmacy, LLC (collectively, “CVS”); The Kroger Co., Kroger Limited Partnership I and Kroger Limited Partnership II (collectively, “Kroger”); Walgreens Boots Alliance, Inc., Walgreen Co., and Walgreen Eastern Co., Inc. (collectively, “Walgreens”); Walmart Inc., Wal-Mart Stores East, LP, WSE Management, LLC, WSE Investment LLC, Wal-Mart Stores East, LLC, Sam’s East, Inc., and Sam’s West, Inc. (collectively, “Walmart”).

parties agree that this extension is for the purpose of completing pending discovery for any parties remaining in the case after settlement discussions, and not for serving additional discovery. The Identified Defendants understand that Plaintiff is reaching a separate agreement with Defendant Publix, which will include Revised CMO Deadlines consistent with those set forth below.

Deadline	Revised CMO Deadlines
Close of Third Party Discovery	3/3/2023
Plaintiff Expert Reports	3/17/2023
Plaintiff Expert Depositions Completed	3/27/2023 to 4/14/2023
Defendant Expert Reports	5/15/2023
Defendant Expert Depositions Completed	5/26/2023 to 6/12/2023
Daubert and Dispositive Motions	7/14/2023
Opp. Briefs Due	8/11/2023
Reply Briefs Due	8/28/2023

Dated: December 5, 2022

/s/ Kaspar J. Stoffelmayr

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SO ORDERED

Dated: December ___, 2022

Judge Dan Aaron Polster